

**BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS**

ORDER OF ADOPTION

RE: CONTINUING EDUCATION EXEMPTIONS AND EXCEPTIONS

The Board of Psychology adopted the following amendments, effective August 20, 2003, to its regulations in Division 13.1 of Title 16 of the California Code of Regulations as follows:

§ 1397.62. Continuing Education Exemptions and Exceptions.

At the time of making application for renewal of a license, a psychologist may as provided in this section request an ~~waiver~~ exemption or an exception from ~~completion~~ all or part of the continuing education requirements.

~~(a)~~ The board shall grant ~~a waiver~~ an exemption only if the psychologist verifies in writing that, during the two year period immediately prior to the expiration date of the license, he or she:

~~(a)~~ (1) Has been residing in another country or state for at least one year reasonably preventing completion of the continuing education requirements; or

~~(b)~~ (2) Has been absent from California for at least one year because of military or missionary service reasonably preventing completion of the continuing education requirements; or

~~(c)~~ (3) Has been prevented from completing the continuing education requirements for reasons of health or other good cause which includes:

~~(1)~~ (A) Total physical and/or mental disability of the psychologist for at least one year; or

~~(2)~~ (B) Total physical and/or mental disability of an immediate family member for at least one year where the psychologist has total responsibility for the care of that family member.

Verification of a physical disability under subsection ~~(c)~~ (a)(3) shall be by a licensed physician and surgeon or, in the case of a mental disability, by a licensed psychologist or a board certified or board eligible psychiatrist.

~~(d) Licensed psychologists not involved in mental health delivery services may request exemption from the continuing education requirements specified under section 2915(d) of the code.~~

(b) An exception to the requirements of Business and Professions Code section 2915(d) may be granted to licensed psychologists who are not engaged in the direct delivery of mental health services for whom there is an absence of available continuing education courses relevant to their specific area of practice.

(1) An exception granted pursuant to this subsection means that the board will accept continuing education courses that are not approved pursuant to sections 1397.61 (d), (e), (f) provided that they are directly related to the licensee's specific area of practice and offered by recognized professional organizations. The board will review the licensee's area of practice, the subject matter of the course, and the provider on a case-by-case basis. This exception does not mean the licensee is exempt from completing the continuing education required by Business and Professions Code section 2915 and this article.

(2) Licensees seeking this exception shall provide all necessary information to enable the board to determine the lack of available approved continuing education and the relevance of each course to the continuing competence of the licensee. Such a request shall be submitted in writing and must include a clear statement as to the relevance of the course to the practice of psychology and the following information:

- (A) Information describing, in detail, the depth and breadth of the content covered (e.g., a course syllabus and the goals and objectives of the course), particularly as it relates to the practice of psychology.
- (B) Information that shows the course instructor's qualifications to teach the content being taught (e.g., his or her education, training, experience, scope of practice, licenses held and length of experience and expertise in the relevant subject matter), particularly as it relates to the practice of psychology.
- (C) Information that shows the course provider's qualifications to offer the type of course being offered (e.g., the provider's background, history, experience and similar courses previously offered by the provider), particularly as it relates to the practice of psychology.

(3) This subsection does not apply to licensees engaged in the direct delivery of mental health services.

~~(e)~~ (c) Psychologists requiring reasonable accommodation according to the Americans with Disabilities Act may be granted an exemption from the on-site participation requirement and may substitute all or part of their continuing education requirement with an American Psychological Association or accreditation agency approved distance learning continuing education program. A qualified individual with a disability must apply to the board to receive this exemption.

~~(f)~~ (d) Any licensee who submits a request for an exemption or exception which is denied by the board shall complete ~~the~~ any continuing education requirements within 120 days of the notification that the ~~exemption~~ request was denied.

Note: Authority cited: Sections 2915(g) and 2930, Business and Professions Code.
Reference: Section 2915, Business and Professions Code.